

REMARKS

1. Applicant thanks the Examiner for his kind assistance during a telephone interview on June 26, 2008. During said interview, Applicant pointed out that the Examiner's understanding of U.S. patent no. 5,936,662 is fundamentally incorrect. Applicant discussed the two passages of Kim, col. 8, lines 32-41 and col. 10, lines 1-28, showing the Examiner, using Fig. 6, that the Examiner's understanding of Kim is incorrect. The Examiner agreed to take Applicant's argument under advisement and recommended that Applicant file this response.

2. **35 U.S.C. § 103**

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent application publication no. 2004/0008635 ("Nelson") in view of U.S. patent no. 5,936,662 ("Kim"). Applicant respectfully disagrees. The Office relies on Kim, col. 10, lines 1-28 as teaching or suggesting "said hub separately receiving an audio only signal from each site" Applicant respectfully disagrees.

The cited portion of Kim relied on by the Office describes Kim's video conference controller. Kim teaches, at col. 10, lines 16-18 that "the MVIP bus stream (on the controller) . . . separates audio and video signals from the channel data" (parenthetic material added). Thus, it is incorrect that the video conference controller separately receives an audio-only signal from each site. The cited portion of Kim teaches that the video conference controller receives a single signal comprising channel data and separates them, at the video conference controller.

Referring now to Fig. 6, shown is a functional block diagram of Kim's video conference controller that includes a data separate extractor 6d. As shown in Fig. 6, there is only one input to 6d from 6c. However, 6d has three outputs: one to the audio mixing unit, one to the video switching unit and one to the data processor. Furthermore, regarding Fig. 6, Kim, at Col. 6, lines 55 – 60 describes the data separate extractor as "a demultiplexing extractor for extracting a signal consisting of synchronized audio data,

video data and other data to independent data" (emphasis added). Thus, it is incorrect that Kim teaches "said hub separately receiving an audio only signal from each site"

The Examiner is respectfully directed to Kim, col. 8, lines 15-25: "[T]he separate data extractor 6d . . . includes a MVIP interface 14a for receiving the ISDN data . . . and a demultiplexer 14d to extract the ISDN data to audio data, video data, and general data" (emphasis added). It is therefore incorrect that Kim teaches "said hub separately receiving an audio only signal from each site" Nelson adds nothing to Kim. Accordingly, the combination fails to teach or suggest all elements of claim 1. Because the combination fails to teach or suggest all elements of Claim 1, the present rejection is improper. Claim 1 is thus deemed to be allowable. In view of their dependence from an allowable parent claim, Claims 2-12 are deemed to be allowable without any separate consideration of their merits.

3. For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art

CONCLUSION

In view of the foregoing, the Application is deemed in allowable condition. Accordingly, Applicant respectfully requests reconsideration and prompt allowance of the claims. Should the Office have any questions regarding the Application, he is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,



Elizabeth Ruzich

Reg. No. 54,416

Customer No. 22862